

FILED

MAR 08 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-Filing

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON THOMAS,

Defendant.

No. CR 05-00798 PJH


GOVERNMENT'S MOTION TO DISMISS
AND (~~PROPOSED~~) ORDER

The United States Attorney's Office for the Northern District of California moves to dismiss the charges against Jason Thomas without prejudice in the above entitled indictment pursuant to Federal Rule of Criminal Procedure 48 (a), as the government has not been able to comply with the Court's order of January 4, 2006 regarding discovery. There have been no findings regarding factual guilt or innocence. The government has previously notified defense counsel, Steve Teish, of its intent to move to dismiss the action without prejudice

DATED: March 8, 2006

Respectfully submitted,

KEVIN V. RYAN
United States Attorney



C. DAVID HALL
Assistant United States Attorney

MOTION TO DISMISS
[CR 05-00798] [PJH]

1 (~~PROPOSED~~) ORDER

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3 Upon the motion of the United States, the proceedings in the above entitled matter is
4 dismissed without prejudice as to the defendant Jason Thomas.

5 Dated: 3/8/06

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8 HON. PHYLLIS J. HAMILTON
United States District Court Judge
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MOTION TO DISMISS
[CR 05-00798] [PJH]